

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

GEOFFREY S. STRONGIN
BRIAN C. BARNES
RODNEY SCHMIDT

Examiner: SHENG JEN TSAI

Group Art Unit: 2186

Serial No.: 09/825,905

Attorney Docket: 2000.050200/TT3965

Filed: April 4, 2001

For: METHOD AND APPARATUS FOR
SECURING PORTIONS OF MEMORY

Customer No.: 23720

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

The Office Mailed a Notice of Allowance on September 28, 2009, allowing all of the pending claims 1-4, 6-9, 11-13, 15-17, 19-21 and 23-24. The due date for paying the Issue Fee is December 28, 2009.

It appears that, for convenience, the Examiner has paraphrased the claimed language in the Reasons for Allowance by referring to the BPAI Decision on Appeal (dated June 11, 2009) as well as the Specification. While the Applicants understand the Examiner's desire to use convenient phraseology, the Applicants note that the proper scope of the claims should be governed based on the express language of the claims themselves in the event there is any inconsistency (actual or perceived) between the claimed language and the Examiner's paraphrasing. Furthermore, words used in the Examiner's paraphrasing should not be construed

as claim limitations if the claims themselves do not include the language referenced by the Examiner. Other references or characterizations made by the Examiner in his Reasons for Allowance that are not present in the claims are not to be construed as limitations.

The intended respective scopes of the claims are defined by the respective languages recited in the claims.

Applicants respectfully submit that the claims are allowable for at least the reasons argued by Applicants throughout the prosecution of this Application before the USPTO. Applicants do not concede that the reasons for allowance are limited to those set forth by the Examiner in the Notice of Allowance (“Reasons for Allowable” [sic] and “Examiner’s Comments sections).

Should the Examiner have any questions, **the Examiner is invited to call the undersigned attorney** at the Houston, Texas telephone number (713) 934-4069.

Respectfully submitted,

WILLIAMS, MORGAN & AMERSON, P.C.
CUSTOMER NO. 23720

Date: October 26, 2009

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